

SENATE, No. 292

STATE OF NEW JERSEY

212th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2006 SESSION

Sponsored by:

Senator NICHOLAS ASSELTA

District 1 (Cape May, Atlantic and Cumberland)

Co-Sponsored by:

Senators Ciesla, T.Kean, Sweeney, Singer, Karcher, Kyrillos and Bucco

SYNOPSIS

Broadens eligibility for certain veterans' benefits by eliminating requirement of service during specified dates or in specified locations.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel



(Sponsorship Updated As Of: 5/11/2007)

1 AN ACT concerning eligibility for certain veterans' benefits,
2 amending and repealing various parts of the statutory law and
3 supplementing Title 11A of the New Jersey Statutes and
4 P.L.1963, c.171 (C.54:4-8.10 et seq.).
5

6 **BE IT ENACTED** *by the Senate and General Assembly of the State*
7 *of New Jersey:*
8

9 1. N.J.S.11A:5-1 is amended to read as follows:

10 11A:5-1. Definitions. As used in this chapter:

11 a. "Disabled veteran" means any veteran who is eligible to be
12 compensated for a service-connected disability **[from war service]**
13 by the United States **[Veterans Administration]** Department of
14 Veterans' Affairs or who receives or is entitled to receive equivalent
15 compensation for a service-connected disability **[which arises out**
16 **of military or naval service as set forth in this chapter]** and who has
17 submitted sufficient evidence of the record of disability **[incurred in**
18 **the line of duty]** to the Adjutant General of the Department of
19 Military and Veterans' Affairs on or before the closing date for
20 filing an application for an examination;

21 b. "Veteran" means any **[honorably discharged soldier, sailor,**
22 **marine or nurse who served in any army or navy of the allies of the**
23 **United States in World War I, between July 14, 1914 and November**
24 **11, 1918, or who served in any army or navy of the allies of the**
25 **United States in World War II, between September 1, 1939 and**
26 **September 2, 1945 and who was inducted into that service through**
27 **voluntary enlistment, and was a citizen of the United States at the**
28 **time of the enlistment, and who did not renounce or lose his or her**
29 **United States citizenship; or any soldier, sailor, marine, airman,**
30 **nurse or army field clerk, who has served in the active military or**
31 **naval service of the United States]** person who (1) served at least
32 90 days of active service in the Armed Forces of the United States,
33 excluding any period of service for basic training or as a cadet or
34 midshipman at one of the service academies, or (2) served as a
35 member of a reserve component of the Armed Forces of the United
36 States for an entire period for which called to federal active service,
37 not including active duty for training, and has been discharged or
38 released therefrom under conditions other than dishonorable
39 **[conditions from that service in any of the following wars or**
40 **conflicts]** and who has presented to the Adjutant General of the
41 Department of Military and Veterans' Affairs sufficient evidence of
42 the record of service on or before the closing date for filing an
43 application for an examination~~]~~:

44 (1) World War I, between April 6, 1917 and November 11,

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 1918;

2 (2) World War II, on or after September 16, 1940, who shall
3 have served at least 90 days beginning on or before December 31,
4 1946 in such active service, exclusive of any period of assignment
5 for a course of education or training under the Army Specialized
6 Training Program or the Navy College Training Program, which
7 course was a continuation of a civilian course and was pursued to
8 completion, or as a cadet or midshipman at one of the service
9 academies; except that any person receiving an actual service-
10 incurred injury or disability shall be classed a veteran whether or
11 not that person has completed the 90-day service;

12 (3) Korean conflict, on or after June 23, 1950, who shall have
13 served at least 90 days beginning on or before January 31, 1955, in
14 active service, exclusive of any period of assignment for a course of
15 education or training under the Army Specialized Training Program
16 or the Navy College Training Program, which course was a
17 continuation of a civilian course and was pursued to completion, or
18 as a cadet or midshipman at one of the service academies; except
19 that any person receiving an actual service-incurred injury or
20 disability shall be classed as a veteran, whether or not that person
21 has completed the 90-day service;

22 (4) Lebanon crisis, on or after July 1, 1958, who has served in
23 Lebanon or on board any ship actively engaged in patrolling the
24 territorial waters of that nation for a period, continuous or in the
25 aggregate, of at least 14 days commencing on or before November
26 1, 1958 or the date of termination of that conflict, as proclaimed by
27 the President of the United States or Congress, whichever date of
28 termination is the latest, in such active service; provided, that any
29 person receiving an actual service-incurred injury or disability shall
30 be classed as a veteran whether or not that person has completed the
31 14 days' service as herein provided;

32 (5) Vietnam conflict, on or after December 31, 1960, who shall
33 have served at least 90 days beginning on or before May 7, 1975, in
34 active service, exclusive of any period of assignment for a course of
35 education or training under the Army Specialized Training Program
36 or the Navy College Training Program, which course was a
37 continuation of a civilian course and was pursued to completion, or
38 as a cadet or midshipman at one of the service academies, and
39 exclusive of any service performed pursuant to the provisions of
40 section 511(d) of Title 10, United States Code, or exclusive of any
41 service performed pursuant to enlistment in the National Guard or
42 the Army Reserve, Naval Reserve, Air Force Reserve, Marine
43 Corps Reserve, or Coast Guard Reserve; except that any person
44 receiving an actual service-incurred injury or disability shall be
45 classed as a veteran, whether or not that person has completed the
46 90-day service as provided;

47 (6) Lebanon peacekeeping mission, on or after September 26,
48 1982, who has served in Lebanon or on board any ship actively

1 engaged in patrolling the territorial waters of that nation for a
2 period, continuous or in the aggregate, of at least 14 days
3 commencing on or before December 1, 1987 or the date of
4 termination of that mission, as proclaimed by the President of the
5 United States or Congress, whichever date of termination is the
6 latest, in such active service; provided, that any person receiving an
7 actual service-incurred injury or disability shall be classed as a
8 veteran whether or not that person has completed the 14 days'
9 service as herein provided;

10 (7) Grenada peacekeeping mission, on or after October 23,
11 1983, who has served in Grenada or on board any ship actively
12 engaged in patrolling the territorial waters of that nation for a
13 period, continuous or in the aggregate, of at least 14 days
14 commencing on or before November 21, 1983 or the date of
15 termination of that mission, as proclaimed by the President of the
16 United States or Congress, whichever date of termination is the
17 latest, in such active service; provided, that any person receiving an
18 actual service-incurred injury or disability shall be classed as a
19 veteran whether or not that person has completed the 14 days'
20 service as herein provided;

21 (8) Panama peacekeeping mission, on or after December 20,
22 1989 or the date of inception of that mission, as proclaimed by the
23 President of the United States or Congress, whichever date of
24 inception is earliest, who has served in Panama or on board any ship
25 actively engaged in patrolling the territorial waters of that nation for
26 a period, continuous or in the aggregate, of at least 14 days
27 commencing on or before January 31, 1990 or the date of
28 termination of that mission, as proclaimed by the President of the
29 United States or Congress, whichever date of termination is the
30 latest, in such active service; provided, that any person receiving an
31 actual service-incurred injury or disability shall be classed as a
32 veteran whether or not that person has completed the 14 days'
33 service as herein provided;

34 (9) Operation "Desert Shield/Desert Storm" mission in the
35 Arabian peninsula and the Persian Gulf, on or after August 2, 1990
36 or the date of inception of that operation, as proclaimed by the
37 President of the United States or Congress, whichever date of
38 inception is earliest, who has served in the Arabian peninsula or on
39 board any ship actively engaged in patrolling the Persian Gulf for a
40 period, continuous or in the aggregate, of at least 14 days
41 commencing on or before the date of termination of that mission, as
42 proclaimed by the President of the United States or Congress,
43 whichever date of termination is the latest, in such active service;
44 provided, that any person receiving an actual service-incurred injury
45 or disability shall be classed as a veteran whether or not that person
46 has completed the 14 days' service as herein provided;

47 (10) Operation "Restore Hope" in Somalia, commencing on or
48 after December 5, 1992, or the date of inception of that operation as

1 proclaimed by the President of the United States or the Congress,
2 whichever date is earliest, and terminating on March 31, 1994, or
3 the date of termination as proclaimed by the President of the United
4 States or the Congress, whichever date is latest, who served for at
5 least 14 days, continuously or in the aggregate, in Somalia or on
6 board any ship actively engaged in patrolling the territorial waters
7 of that nation during the specified period; provided that any person
8 receiving an actual service-incurred injury or disability shall be
9 classed as a veteran whether or not that person has completed the
10 14-day service as herein provided;

11 (11) Operations "Joint Endeavor" and "Joint Guard" in the
12 Republic of Bosnia and Herzegovina, commencing on or after
13 November 20, 1995 or December 20, 1996, as the case may be, and
14 terminating on December 20, 1996 or on such date as the United
15 States Secretary of Defense may designate, as the case may be, who
16 served in direct support of one or both of the operations for at least
17 14 days, continuously or in the aggregate, and (1) was deployed in
18 that nation or in another area in the region, or (2) was on board a
19 United States naval vessel operating in the Adriatic Sea, or (3)
20 operated in airspace above the Republic of Bosnia and
21 Herzegovina; provided that any person receiving an actual service-
22 incurred injury or disability shall be classed as a veteran whether or
23 not that person completed the 14-day service requirement; and

24 (12) Operation "Uphold Democracy" in Haiti, commencing on
25 or after September 19, 1994 and terminating on or before March 31,
26 1995 who served in Haiti or on board any ship actively engaged in
27 patrolling the territorial waters of that nation for a period,
28 continuously or in the aggregate, of at least 14 days in such active
29 service and who received an Armed Forces Expeditionary Medal for
30 such service; provided, that any person receiving an actual service-
31 incurred injury or disability shall be classed as a veteran whether or
32 not that person has completed the 14 days' service as herein
33 provided or received an Armed Forces Expeditionary Medal.

34 c. "War service" means service by a veteran in any war or
35 conflict described in this chapter during the periods specified】.

36 A person who served fewer than 90 days of active service or who
37 served less than the entire period to which called to federal active
38 service shall be classed as a veteran if that person has been
39 discharged or released under conditions other than dishonorable as a
40 result of a service-connected disability incurred as a result of such
41 service.

42 (cf: P.L.2001, c.127, s.1)

43

44 2. N.J.S.11A:5-3 is amended to read as follows:

45 11A:5-3. Parent and spouse of veteran who has died in service.
46 A parent and spouse of any veteran who died while in , and as a
47 result of, federal active service and who would have qualified under
48 this chapter as a veteran, shall be entitled to a disabled veterans'

1 preference. Where both a parent and spouse survive, the exercise of
2 the preference by one shall suspend the right of any other so long as
3 the first individual who exercises preference remains in the employ
4 of the State or any political subdivision operating under the
5 provisions of this title.

6 (cf: N.J.S.11A:5-3)

7
8 3. N.J.S.11A:5-11 is amended to read as follows:

9 11A:5-11. Veterans not to be discriminated against because of
10 physical defects. Veterans suffering from any physical defect
11 caused by [wounds or injuries received in the line of duty in the
12 military or naval forces of the United States during war service set
13 forth in N.J.S.11A:5-1] an injury, disease or disability incurred as a
14 result of active service in the Armed Forces of the United States or
15 a reserve component thereof, shall not be discriminated against in
16 an examination, classification or appointment because of the defect,
17 unless this defect, in the opinion of the board, would incapacitate
18 the veteran from properly performing the duties of the office,
19 position or employment for which applied.

20 (cf: N.J.S.11A:5-11)

21
22 4. N.J.S.18A:66-2 is amended to read as follows:

23 18A:66-2. As used in this article:

24 a. "Accumulated deductions" means the sum of all the amounts,
25 deducted from the compensation of a member or contributed by or
26 in behalf of the member, including interest credited to January 1,
27 1956, standing to the credit of the member's individual account in
28 the annuity savings fund.

29 b. "Annuity" means payments for life derived from the
30 accumulated deductions of a member as provided in this article.

31 c. "Beneficiary" means any person receiving a retirement
32 allowance or other benefit as provided in this article.

33 d. "Compensation" means the contractual salary, for services as
34 a teacher as defined in this article, which is in accordance with
35 established salary policies of the member's employer for all
36 employees in the same position but shall not include individual
37 salary adjustments which are granted primarily in anticipation of
38 the member's retirement or additional remuneration for performing
39 temporary or extracurricular duties beyond the regular school day or
40 the regular school year.

41 e. "Employer" means the State, the board of education or any
42 educational institution or agency of or within the State by which a
43 teacher is paid.

44 f. "Final compensation" means the average annual compensation
45 for which contributions are made for the three years of creditable
46 service in New Jersey immediately preceding the member's
47 retirement or death, or it shall mean the average annual

- 1 compensation for New Jersey service for which contributions are
2 made during any three fiscal years of his or her membership
3 providing the largest possible benefit to the member or the
4 member's beneficiary.
- 5 g. "Fiscal year" means any year commencing with July 1, and
6 ending with June 30, next following.
- 7 h. "Pension" means payments for life derived from
8 appropriations made by the State or employers to the Teachers'
9 Pension and Annuity Fund.
- 10 i. "Annuity reserve" means the present value of all payments to
11 be made on account of any annuity or benefit in lieu of an annuity,
12 granted under the provisions of this article, computed on the basis
13 of such mortality tables recommended by the actuary as the board
14 of trustees adopts, with regular interest.
- 15 j. "Pension reserve" means the present value of all payments to
16 be made on account of any pension or benefit in lieu of a pension
17 granted to a member from the Teachers' Pension and Annuity Fund,
18 computed on the basis of such mortality tables recommended by the
19 actuary as the board of trustees adopts, with regular interest.
- 20 k. "Present-entrant" means any member of the Teachers' Pension
21 and Annuity Fund who had established status as a "present-entrant
22 member" of said fund prior to January 1, 1956.
- 23 l. "Rate of contribution initially certified" means the rate of
24 contribution certified by the retirement system in accordance with
25 N.J.S.18A:66-29.
- 26 m. "Regular interest" shall mean interest as determined by the
27 State Treasurer, after consultation with the Directors of the
28 Divisions of Investment and Pensions, the board of trustees and the
29 actuary. It shall bear a reasonable relationship to the percentage
30 rate of earnings on investments based on the market value of assets
31 but shall not exceed the assumed percentage rate of increase applied
32 to salaries plus 3%, provided however that the board of trustees
33 shall not set the average percentage rate of increase applied to
34 salaries below 6%.
- 35 n. "Retirement allowance" means the pension plus the annuity.
- 36 o. "School service" means any service as a "teacher" as defined
37 in this section.
- 38 p. "Teacher" means any regular teacher, special teacher, helping
39 teacher, teacher clerk, principal, vice-principal, supervisor,
40 supervising principal, director, superintendent, city superintendent,
41 assistant city superintendent, county superintendent, State
42 Commissioner or Assistant Commissioner of Education, members
43 of the State Department of Education who are certificated,
44 unclassified professional staff and other members of the teaching or
45 professional staff of any class, public school, high school, normal
46 school, model school, training school, vocational school, truant
47 reformatory school, or parental school, and of any and all classes or
48 schools within the State conducted under the order and

1 superintendence, and wholly or partly at the expense of the State
2 Board of Education, of a duly elected or appointed board of
3 education, board of school directors, or board of trustees of the
4 State or of any school district or normal school district thereof, and
5 any persons under contract or engagement to perform one or more
6 of these functions. It shall also mean any person who serves, while
7 on an approved leave of absence from regular duties as a teacher, as
8 an officer of a local, county or State labor organization which
9 represents, or is affiliated with an organization which represents,
10 teachers as defined in this subsection. No person shall be deemed a
11 teacher within the meaning of this article who is a substitute
12 teacher. In all cases of doubt the board of trustees shall determine
13 whether any person is a teacher as defined in this article.

14 q. "Teachers' Pension and Annuity Fund," hereinafter referred to
15 as the "retirement system" or "system," is the corporate name of the
16 arrangement for the payment of retirement allowances and other
17 benefits under the provisions of this article, including the several
18 funds placed under said system. By that name all its business shall
19 be transacted, its funds invested, warrants for money drawn, and
20 payments made and all of its cash and securities and other property
21 held.

22 r. "Veteran" means any [honorably discharged officer, soldier,
23 sailor, airman, marine or nurse who served in any Army, Air Force
24 or Navy of the Allies of the United States in World War I between
25 July 14, 1914, and November 11, 1918, or who served in any Army,
26 Air Force or Navy of the Allies of the United States in World War
27 II, between September 1, 1939, and September 2, 1945, and who
28 was inducted into such service through voluntary enlistment, and
29 was a citizen of the United States at the time of such enlistment, and
30 who did not, during or by reason of such service, renounce or lose
31 United States citizenship, and any officer, soldier, sailor, marine,
32 airman, nurse or army field clerk who has served in the active
33 military or naval service of the United States] person who (1)
34 served at least 90 days of active service in the Armed Forces of the
35 United States, excluding any period of service for basic training or
36 as a cadet or midshipman at one of the service academies, or (2)
37 served as a member of a reserve component of the Armed Forces of
38 the United States for an entire period for which called to federal
39 active service, not including active duty for training, and has [or
40 shall be] been discharged or released therefrom under conditions
41 other than dishonorable [, in any of the following wars, uprisings,
42 insurrections, expeditions or emergencies,] and who has presented
43 to the [retirement system] Adjutant General of the Department of
44 Military and Veterans' Affairs evidence of such record of service in
45 form and content satisfactory to [said retirement system:

46 (1) The Indian wars and uprisings during any of the periods
47 recognized by the War Department of the United States as periods

- 1 of active hostility;
- 2 (2) The Spanish-American War between April 20, 1898, and
- 3 April 11, 1899;
- 4 (3) The Philippine insurrections and expeditions during the
- 5 periods recognized by the War Department of the United States as
- 6 of active hostility from February 4, 1899, to the end of 1913;
- 7 (4) The Peking relief expedition between June 20, 1900, and
- 8 May 27, 1902;
- 9 (5) The army of Cuban occupation between July 18, 1898, and
- 10 May 20, 1902;
- 11 (6) The army of Cuban pacification between October 6, 1906,
- 12 and April 1, 1909;
- 13 (7) The Mexican punitive expedition between March 14, 1916,
- 14 and February 7, 1917;
- 15 (8) The Mexican border patrol, having actually participated in
- 16 engagements against Mexicans between April 12, 1911, and June
- 17 16, 1919;
- 18 (9) World War I, between April 6, 1917, and November 11,
- 19 1918;
- 20 (10) World War II, between September 16, 1940, and December
- 21 31, 1946, who shall have served at least 90 days in such active
- 22 service, exclusive of any period of assignment (1) for a course of
- 23 education or training under the Army Specialized Training Program
- 24 or the Navy College Training Program, which course was a
- 25 continuation of a civilian course and was pursued to completion, or
- 26 (2) as a cadet or midshipman at one of the service academies, any
- 27 part of which 90 days was served between said dates; provided that
- 28 any person receiving an actual service-incurred injury or disability
- 29 shall be classed as a veteran, whether or not that person has
- 30 completed the 90-day service as herein provided;
- 31 (11) Korean conflict on or after June 23, 1950, and on or prior to
- 32 January 31, 1955, who shall have served at least 90 days in such
- 33 active service, exclusive of any period of assignment (1) for a
- 34 course of education or training under the Army Specialized
- 35 Training Program or the Navy College Training Program, which
- 36 course was a continuation of a civilian course and was pursued to
- 37 completion, or (2) as a cadet or midshipman at one of the service
- 38 academies, any part of which 90 days was served between said
- 39 dates; provided that any person receiving an actual service-incurred
- 40 injury or disability shall be classed as a veteran, whether or not that
- 41 person has completed the 90-day service as herein provided; and
- 42 provided further that any member classed as a veteran pursuant to
- 43 this subsection prior to August 1, 1966, shall continue to be classed
- 44 as a veteran, whether or not that person completed the 90-day
- 45 service between said dates as herein provided;
- 46 (12) Lebanon crisis, on or after July 1, 1958, who has served in
- 47 Lebanon or on board any ship actively engaged in patrolling the
- 48 territorial waters of that nation for a period, continuous or in the

1 aggregate, of at least 14 days commencing on or before November
2 1, 1958 or the date of termination of that conflict, as proclaimed by
3 the President of the United States or Congress, whichever date of
4 termination is the latest, in such active service; provided, that any
5 person receiving an actual service-incurred injury or disability shall
6 be classed as a veteran whether or not that person has completed the
7 14 days' service as herein provided;

8 (13) Vietnam conflict, on or after December 31, 1960, and on or
9 prior to May 7, 1975, who shall have served at least 90 days in such
10 active service, exclusive of any period of assignment (1) for a
11 course of education or training under the Army Specialized
12 Training Program or the Navy College Training Program, which
13 course was a continuation of a civilian course and was pursued to
14 completion, or (2) as a cadet or midshipman at one of the service
15 academies, any part of which 90 days was served between said
16 dates; and exclusive of any service performed pursuant to the
17 provisions of section 511(d) of Title 10, United States Code,
18 pursuant to an enlistment in the Army National Guard or as a
19 reserve for service in the Army Reserve, Naval Reserve, Air Force
20 Reserve, Marine Corps Reserve, or Coast Guard Reserve; provided
21 that any person receiving an actual service-incurred injury or
22 disability shall be classed as a veteran, whether or not that person
23 has completed the 90-day service as herein provided;

24 (14) Lebanon peacekeeping mission, on or after September 26,
25 1982, who has served in Lebanon or on board any ship actively
26 engaged in patrolling the territorial waters of that nation for a
27 period, continuous or in the aggregate, of at least 14 days
28 commencing on or before December 1, 1987 or the date of
29 termination of that mission, as proclaimed by the President of the
30 United States or Congress, whichever date of termination is the
31 latest, in such active service; provided, that any person receiving an
32 actual service-incurred injury or disability shall be classed as a
33 veteran whether or not that person has completed the 14 days'
34 service as herein provided;

35 (15) Grenada peacekeeping mission, on or after October 23,
36 1983, who has served in Grenada or on board any ship actively
37 engaged in patrolling the territorial waters of that nation for a
38 period, continuous or in the aggregate, of at least 14 days
39 commencing on or before November 21, 1983 or the date of
40 termination of that mission, as proclaimed by the President of the
41 United States or Congress, whichever date of termination is the
42 latest, in such active service; provided, that any person receiving an
43 actual service-incurred injury or disability shall be classed as a
44 veteran whether or not that person has completed the 14 days'
45 service as herein provided;

46 (16) Panama peacekeeping mission, on or after December 20,
47 1989 or the date of inception of that mission, as proclaimed by the
48 President of the United States or Congress, whichever date of

1 inception is earliest, who has served in Panama or on board any ship
2 actively engaged in patrolling the territorial waters of that nation for
3 a period, continuous or in the aggregate, of at least 14 days
4 commencing on or before January 31, 1990 or the date of
5 termination of that mission, as proclaimed by the President of the
6 United States or Congress, whichever date of termination is the
7 latest, in such active service; provided, that any person receiving an
8 actual service-incurred injury or disability shall be classed as a
9 veteran whether or not that person has completed the 14 days'
10 service as herein provided;

11 (17) Operation "Desert Shield/Desert Storm" mission in the
12 Arabian peninsula and the Persian Gulf, on or after August 2, 1990
13 or the date of inception of that operation, as proclaimed by the
14 President of the United States or Congress, whichever date of
15 inception is earliest, who has served in the Arabian peninsula or on
16 board any ship actively engaged in patrolling the Persian Gulf for a
17 period, continuous or in the aggregate, of at least 14 days
18 commencing on or before the date of termination of that mission, as
19 proclaimed by the President of the United States or Congress,
20 whichever date of termination is the latest, in such active service;
21 provided, that any person receiving an actual service-incurred injury
22 or disability shall be classed as a veteran whether or not that person
23 has completed the 14 days' service as herein provided;

24 (18) Operation "Restore Hope" in Somalia, commencing on or
25 after December 5, 1992, or the date of inception of that operation as
26 proclaimed by the President of the United States or the Congress,
27 whichever date is earliest, and terminating on March 31, 1994, or
28 the date of termination as proclaimed by the President of the United
29 States or the Congress, whichever date is latest, who served for at
30 least 14 days, continuously or in the aggregate, in Somalia or on
31 board any ship actively engaged in patrolling the territorial waters
32 of that nation during the specified period; provided that any person
33 receiving an actual service-incurred injury or disability shall be
34 classed as a veteran whether or not that person has completed the
35 14-day service as herein provided;

36 (19) Operations "Joint Endeavor" and "Joint Guard" in the
37 Republic of Bosnia and Herzegovina, commencing on or after
38 November 20, 1995 or December 20, 1996, as the case may be, and
39 terminating on December 20, 1996 or on such date as the United
40 States Secretary of Defense may designate, as the case may be, who
41 served in direct support of one or both of the operations for at least
42 14 days, continuously or in the aggregate, and (1) was deployed in
43 that nation or in another area in the region, or (2) was on board a
44 United States naval vessel operating in the Adriatic Sea, or (3)
45 operated in airspace above the Republic of Bosnia and
46 Herzegovina; provided that any person receiving an actual service-
47 incurred injury or disability shall be classed as a veteran whether or
48 not that person completed the 14-day service requirement] the

1 Adjutant General.

2 A person who served fewer than 90 days of active service or who
3 served less than the entire period to which called to active service
4 shall be classed as a veteran if that person has been discharged or
5 released under conditions other than dishonorable as a result of a
6 service-connected disability incurred a result of such service.

7 "Veteran" also means any honorably discharged member of the
8 American Merchant Marine who served during World War II and is
9 declared by the United States Department of Defense to be eligible
10 for federal veterans' benefits.

11 s. "Child" means a deceased member's unmarried child either (a)
12 under the age of 18 or (b) of any age who, at the time of the
13 member's death, is disabled because of mental retardation or
14 physical incapacity, is unable to do any substantial, gainful work
15 because of the impairment and the impairment has lasted or can be
16 expected to last for a continuous period of not less than 12 months,
17 as affirmed by the medical board.

18 t. "Widower" means the man to whom a member was married at
19 least five years before the date of her death and to whom she
20 continued to be married until the date of her death and who was
21 receiving at least one-half of his support from the member in the
22 12-month period immediately preceding the member's death or the
23 accident which was the direct cause of the member's death. The
24 dependency of such a widower will be considered terminated by
25 marriage of the widower subsequent to the death of the member. In
26 the event of the payment of an accidental death benefit, the five-
27 year qualification shall be waived.

28 u. "Widow" means the woman to whom a member was married
29 at least five years before the date of his death and to whom he
30 continued to be married until the date of his death and who was
31 receiving at least one-half of her support from the member in the
32 12-month period immediately preceding the member's death or the
33 accident which was the direct cause of the member's death. The
34 dependency of such a widow will be considered terminated by the
35 marriage of the widow subsequent to the member's death. In the
36 event of the payment of an accidental death benefit, the five-year
37 qualification shall be waived.

38 v. "Parent" means the parent of a member who was receiving at
39 least one-half of the parent's support from the member in the 12-
40 month period immediately preceding the member's death or the
41 accident which was the direct cause of the member's death. The
42 dependency of such a parent will be considered terminated by
43 marriage of the parent subsequent to the death of the member.

44 w. "Medical board" means the board of physicians provided for
45 in N.J.S.18A:66-56.

46 (cf: P.L.2001, c.128, s.1)

1 5. N.J.S.18A:66-13 is amended to read as follows:

2 18A:66-13. Prior service credit. A member may file a detailed
3 statement of: a. school service and service in a similar capacity in
4 other states and in schools within and outside the United States
5 operated by a department of the United States Government for the
6 instruction of the children of United States Government officers and
7 employees, or b. other public employment in other states or with
8 the United States Government which would be eligible for credit in
9 a State-administered retirement system if the employment was with
10 a public employer in this State, or c. **【military service】** active
11 service in the Armed Forces of the United States or in a reserve
12 component thereof, rendered prior to becoming a member, for
13 which the member desires credit, and of such other facts as the
14 retirement system may require. The member may purchase credit
15 for all or a portion of the service evidenced in the statement up to
16 the nearest number of years and months, but not exceeding 10
17 years, provided however, that a member purchasing that maximum
18 credit may purchase up to five additional years **【for additional**
19 **military】** of active service 【qualifying the member as a veteran as
20 defined in N.J.S.18A:66-2】 in the Armed Forces of the United
21 States or a reserve component thereof.

22 No application shall be accepted for the purchase of credit for
23 **【such】**: (1) a period of service if, at the time of application, the
24 member has a vested right to retirement benefits in another
25 retirement system based in whole or in part upon that service ; or
26 (2) a period of active service in a reserve component of the Armed
27 Forces of the United States that is concurrent with other service
28 described in subsections a. and b. of this section.

29 The member may purchase credit for the service by paying into
30 the annuity savings fund the amount required by applying the
31 factor, supplied by the actuary as being applicable to the member's
32 age at the time of the purchase, to the member's salary at that time,
33 or to the highest annual compensation for service in this State for
34 which contributions were made during any prior fiscal year of
35 membership, whichever is greater. The purchase may be made in
36 regular installments, equal to at least one-half the full normal
37 contribution to the retirement system, over a maximum period of 10
38 years. Neither the State nor the employer of a member who applies
39 to purchase credit for public employment with the United States
40 Government pursuant to subsection b. of this section or for military
41 service pursuant to subsection c. of this section shall be liable for
42 any payment to the retirement system on behalf of the member for
43 the purchase of this credit.

44 Notwithstanding any provision of this act to the contrary, a
45 member shall not be liable for any costs associated with the
46 financing of pension adjustment benefits and health care benefits
47 for retirees when purchasing credit for school service, public

1 employment in other states or with the United States Government,
2 or **【military】** active service in the Armed Forces of the United
3 States or a reserve component thereof.

4 Any member electing to purchase the service who retires prior to
5 completing payments as agreed with the retirement system will
6 receive pro rata credit for service purchased prior to the date of
7 retirement, but if the member so elects at the time of retirement, the
8 member may make the additional lump sum payment required at
9 that time to provide full credit.

10 (cf: P.L.1991, c.153, s.1)

11
12 6. Section 6 of P.L.1954, c.84 (C.43:15A-6) is amended to read
13 as follows:

14 6. As used in this act:

15 a. "Accumulated deductions" means the sum of all the amounts,
16 deducted from the compensation of a member or contributed by or
17 on behalf of the member, standing to the credit of the member's
18 individual account in the annuity savings fund.

19 b. "Annuity" means payments for life derived from the
20 accumulated deductions of a member as provided in this act.

21 c. "Annuity reserve" means the present value of all payments to
22 be made on account of any annuity or benefit in lieu of an annuity,
23 granted under the provisions of this act, computed on the basis of
24 such mortality tables recommended by the actuary as the board of
25 trustees adopts, with regular interest.

26 d. "Beneficiary" means any person receiving a retirement
27 allowance or other benefit as provided in this act.

28 e. "Child" means a deceased member's unmarried child either
29 (1) under the age of 18 or (2) of any age who, at the time of the
30 member's death, is disabled because of mental retardation or
31 physical incapacity, is unable to do any substantial, gainful work
32 because of the impairment and the impairment has lasted or can be
33 expected to last for a continuous period of not less than 12 months,
34 as affirmed by the medical board.

35 f. "Parent" shall mean the parent of a member who was
36 receiving at least 1/2 of the parent's support from the member in the
37 12-month period immediately preceding the member's death or the
38 accident which was the direct cause of the member's death. The
39 dependency of such a parent will be considered terminated by
40 marriage of the parent subsequent to the death of the member.

41 g. "Widower" means the man to whom a member was married at
42 least five years before the date of her death and to whom she
43 continued to be married until the date of her death and who was
44 receiving at least 1/2 of his support from the member in the 12-
45 month period immediately preceding the member's death or the
46 accident which was the direct cause of the member's death. The
47 dependency of such a widower will be considered terminated by
48 marriage of the widower subsequent to the death of the member. In

- 1 the event of the payment of an accidental death benefit, the five-
2 year qualification shall be waived.
- 3 h. "Final compensation" means the average annual
4 compensation for which contributions are made for the three years
5 of creditable service in New Jersey immediately preceding the
6 member's retirement or death, or it shall mean the average annual
7 compensation for New Jersey service for which contributions are
8 made during any three fiscal years of his or her membership
9 providing the largest possible benefit to the member or the
10 member's beneficiary.
- 11 i. "Fiscal year" means any year commencing with July 1 and
12 ending with June 30 next following.
- 13 j. "Medical board" shall mean the board of physicians provided
14 for in section 17 (C.43:15A-17).
- 15 k. "Pension" means payments for life derived from
16 appropriations made by the employer as provided in this act.
- 17 l. "Pension reserve" means the present value of all payments to
18 be made on account of any pension or benefit in lieu of a pension
19 granted under the provisions of this act, computed on the basis of
20 such mortality tables recommended by the actuary as the board of
21 trustees adopts, with regular interest.
- 22 m. "Public Employees' Retirement System of New Jersey,"
23 hereinafter referred to as the "retirement system" or "system," is the
24 corporate name of the arrangement for the payment of retirement
25 allowances and other benefits under the provisions of this act
26 including the several funds placed under said system. By that name
27 all of its business shall be transacted, its funds invested, warrants
28 for money drawn, and payments made and all of its cash and
29 securities and other property held.
- 30 n. "Regular interest" shall mean interest as determined by the
31 State Treasurer, after consultation with the Directors of the
32 Divisions of Investment and Pensions and Benefits, the board of
33 trustees and the actuary. It shall bear a reasonable relationship to
34 the percentage rate of earnings on investments based on the market
35 value of the assets but shall not exceed the assumed percentage rate
36 of increase applied to salaries plus 3%, provided however that the
37 board of trustees shall not set the average percentage rate of
38 increase applied to salaries below 6%.
- 39 o. "Retirement allowance" means the pension plus the annuity.
- 40 p. "Veteran" means any [honorably discharged officer, soldier,
41 sailor, airman, marine or nurse who served in any Army, Air Force
42 or Navy of the Allies of the United States in World War I, between
43 July 14, 1914, and November 11, 1918, or who served in any Army,
44 Air Force or Navy of the Allies of the United States in World War
45 II, between September 1, 1939, and September 2, 1945, and who
46 was inducted into such service through voluntary enlistment, and
47 was a citizen of the United States at the time of such enlistment, and
48 who did not, during or by reason of such service, renounce or lose

1 United States citizenship, and any officer, soldier, sailor, marine,
2 airman, nurse or army field clerk, who has served in the active
3 military or naval service of the United States】 person who (1)
4 served at least 90 days of active service in the Armed Forces of the
5 United States, excluding any period of service for basic training or
6 as a cadet or midshipman at one of the service academies, or (2)
7 served as a member of a reserve component of the Armed Forces of
8 the United States for an entire period for which called to federal
9 active service, not including active duty for training, and has 【or
10 shall be】 been discharged or released therefrom under conditions
11 other than dishonorable【, in any of the following wars, uprisings,
12 insurrections, expeditions, or emergencies,】 and who has presented
13 to the 【retirement system】 Adjutant General of the Department of
14 Military and Veterans' Affairs evidence of such record of service in
15 form and content satisfactory 【to said retirement system:

16 (1) The Indian wars and uprisings during any of the periods
17 recognized by the War Department of the United States as periods
18 of active hostility;

19 (2) The Spanish-American War between April 20, 1898, and
20 April 11, 1899;

21 (3) The Philippine insurrections and expeditions during the
22 periods recognized by the War Department of the United States as
23 of active hostility from February 4, 1899, to the end of 1913;

24 (4) The Peking relief expedition between June 20, 1900, and
25 May 27, 1902;

26 (5) The army of Cuban occupation between July 18, 1898, and
27 May 20, 1902;

28 (6) The army of Cuban pacification between October 6, 1906,
29 and April 1, 1909;

30 (7) The Mexican punitive expedition between March 14, 1916,
31 and February 7, 1917;

32 (8) The Mexican border patrol, having actually participated in
33 engagements against Mexicans between April 12, 1911, and June
34 16, 1919;

35 (9) World War I, between April 6, 1917, and November 11,
36 1918;

37 (10) World War II, between September 16, 1940, and December
38 31, 1946, who shall have served at least 90 days in such active
39 service, exclusive of any period of assignment (1) for a course of
40 education or training under the Army Specialized Training Program
41 or the Navy College Training Program which course was a
42 continuation of a civilian course and was pursued to completion, or
43 (2) as a cadet or midshipman at one of the service academies any
44 part of which 90 days was served between said dates; provided, that
45 any person receiving an actual service-incurred injury or disability
46 shall be classed as a veteran whether or not that person has
47 completed the 90-day service as herein provided;

1 (11) Korean conflict on or after June 23, 1950, and on or prior to
2 January 31, 1955, who shall have served at least 90 days in such
3 active service, exclusive of any period of assignment (1) for a
4 course of education or training under the Army Specialized
5 Training Program or the Navy College Training Program which
6 course was a continuation of a civilian course and was pursued to
7 completion, or (2) as a cadet or midshipman at one of the service
8 academies, any part of which 90 days was served between said
9 dates; provided, that any person receiving an actual service-incurred
10 injury or disability shall be classed as a veteran whether or not that
11 person has completed the 90-day service as herein provided; and
12 provided further, that any member classed as a veteran pursuant to
13 this paragraph prior to August 1, 1966, shall continue to be classed
14 as a veteran whether or not that person completed the 90-day
15 service between said dates as herein provided;

16 (12) Lebanon crisis, on or after July 1, 1958, who has served in
17 Lebanon or on board any ship actively engaged in patrolling the
18 territorial waters of that nation for a period, continuous or in the
19 aggregate, of at least 14 days commencing on or before November
20 1, 1958 or the date of termination of that conflict, as proclaimed by
21 the President of the United States or Congress, whichever date of
22 termination is the latest, in such active service; provided, that any
23 person receiving an actual service-incurred injury or disability shall
24 be classed as a veteran whether or not that person has completed the
25 14 days' service as herein provided;

26 (13) Vietnam conflict on or after December 31, 1960, and on or
27 prior to May 7, 1975, who shall have served at least 90 days in such
28 active service, exclusive of any period of assignment (1) for a
29 course of education or training under the Army Specialized
30 Training Program or the Navy College Training Program which
31 course was a continuation of a civilian course and was pursued to
32 completion, or (2) as a cadet or midshipman at one of the service
33 academies, any part of which 90 days was served between said
34 dates; and exclusive of any service performed pursuant to the
35 provisions of section 511(d) of Title 10, United States Code,
36 pursuant to an enlistment in the Army National Guard or as a
37 reserve for service in the Army Reserve, Naval Reserve, Air Force
38 Reserve, Marine Corps Reserve, or Coast Guard Reserve; provided,
39 that any person receiving an actual service-incurred injury or
40 disability shall be classed as a veteran whether or not that person
41 has completed the 90 days' service as herein provided;

42 (14) Lebanon peacekeeping mission, on or after September 26,
43 1982, who has served in Lebanon or on board any ship actively
44 engaged in patrolling the territorial waters of that nation for a
45 period, continuous or in the aggregate, of at least 14 days
46 commencing on or before December 1, 1987 or the date of
47 termination of that mission, as proclaimed by the President of the
48 United States or Congress, whichever date of termination is the

1 latest, in such active service; provided, that any person receiving an
2 actual service-incurred injury or disability shall be classed as a
3 veteran whether or not that person has completed the 14 days'
4 service as herein provided;

5 (15) Grenada peacekeeping mission, on or after October 23,
6 1983, who has served in Grenada or on board any ship actively
7 engaged in patrolling the territorial waters of that nation for a
8 period, continuous or in the aggregate, of at least 14 days
9 commencing on or before November 21, 1983 or the date of
10 termination of that mission, as proclaimed by the President of the
11 United States or Congress, whichever date of termination is the
12 latest, in such active service; provided, that any person receiving an
13 actual service-incurred injury or disability shall be classed as a
14 veteran whether or not that person has completed the 14 days'
15 service as herein provided;

16 (16) Panama peacekeeping mission, on or after December 20,
17 1989 or the date of inception of that mission, as proclaimed by the
18 President of the United States or Congress, whichever date of
19 inception is earliest, who has served in Panama or on board any ship
20 actively engaged in patrolling the territorial waters of that nation for
21 a period, continuous or in the aggregate, of at least 14 days
22 commencing on or before January 31, 1990 or the date of
23 termination of that mission, as proclaimed by the President of the
24 United States or Congress, whichever date of termination is the
25 latest, in such active service; provided, that any person receiving an
26 actual service-incurred injury or disability shall be classed as a
27 veteran whether or not that person has completed the 14 days'
28 service as herein provided;

29 (17) Operation "Desert Shield/Desert Storm" mission in the
30 Arabian peninsula and the Persian Gulf, on or after August 2, 1990
31 or the date of inception of that operation, as proclaimed by the
32 President of the United States, Congress or the Governor,
33 whichever date of inception is earliest, who has served in the
34 Arabian peninsula or on board any ship actively engaged in
35 patrolling the Persian Gulf for a period, continuous or in the
36 aggregate, of at least 14 days commencing on or before the date of
37 termination of that mission, as proclaimed by the President of the
38 United States or Congress, whichever date of termination is the
39 latest, in such active service; provided, that any person receiving an
40 actual service-incurred injury or disability shall be classed as a
41 veteran whether or not that person has completed the 14 days'
42 service as herein provided;

43 (18) Operation "Restore Hope" in Somalia, commencing on or
44 after December 5, 1992, or the date of inception of that operation as
45 proclaimed by the President of the United States or the Congress,
46 whichever date is earliest, and terminating on March 31, 1994, or
47 the date of termination as proclaimed by the President of the United
48 States or the Congress, whichever date is latest, who served for at

1 least 14 days, continuously or in the aggregate, in Somalia or on
2 board any ship actively engaged in patrolling the territorial waters
3 of that nation during the specified period; provided that any person
4 receiving an actual service-incurred injury or disability shall be
5 classed as a veteran whether or not that person has completed the
6 14-day service as herein provided;

7 (19) Operations "Joint Endeavor" and "Joint Guard" in the
8 Republic of Bosnia and Herzegovina, commencing on or after
9 November 20, 1995 or December 20, 1996, as the case may be, and
10 terminating on December 20, 1996 or on such date as the United
11 States Secretary of Defense may designate, as the case may be, who
12 served in direct support of one or both of the operations for at least
13 14 days, continuously or in the aggregate, and (1) was deployed in
14 that nation or in another area in the region, or (2) was on board a
15 United States naval vessel operating in the Adriatic Sea, or (3)
16 operated in airspace above the Republic of Bosnia and
17 Herzegovina; provided that any person receiving an actual service-
18 incurred injury or disability shall be classed as a veteran whether or
19 not that person completed the 14-day service requirement] the
20 Adjutant General.

21 A person who served fewer than 90 days of active service or who
22 served less than the entire period to which called to active service
23 shall be classed as a veteran if that person has been discharged or
24 released under conditions other than dishonorable as a result of a
25 service-connected disability incurred as a result of such service.

26 "Veteran" also means any honorably discharged member of the
27 American Merchant Marine who served during World War II and is
28 declared by the United States Department of Defense to be eligible
29 for federal veterans' benefits.

30 q. "Widow" means the woman to whom a member was married
31 at least five years before the date of his death and to whom he
32 continued to be married until the date of his death and who was
33 receiving at least 1/2 of her support from the member in the 12-
34 month period immediately preceding the member's death or the
35 accident which was the direct cause of the member's death. The
36 dependency of such a widow will be considered terminated by the
37 marriage of the widow subsequent to the member's death. In the
38 event of the payment of an accidental death benefit, the five-year
39 qualification shall be waived.

40 r. "Compensation" means the base or contractual salary, for
41 services as an employee, which is in accordance with established
42 salary policies of the member's employer for all employees in the
43 same position but shall not include individual salary adjustments
44 which are granted primarily in anticipation of the member's
45 retirement or additional remuneration for performing temporary or
46 extracurricular duties beyond the regular workday or the regular
47 work year. In cases where salary includes maintenance, the
48 retirement system shall fix the value of that part of the salary not

1 paid in money which shall be considered under this act.
2 (cf: P.L.2001, c.128, s.2)

3
4 7. Section 4 of P.L.2001, c.127 (C.43:15A-24a) is amended to
5 read as follows:

6 4. The State shall be liable for any increased cost to local
7 government employers participating in the **【Public Employees'**
8 **Retirement System, established pursuant to P.L.1954, c.84**
9 **(C.43:15A-1 et seq.),】** retirement system as a result of the
10 provisions of **【this act, P.L.2001, c.127】** P.L. , c. (now before
11 the Legislature as this bill).

12 (cf: P.L.2001, c.127, s.4)

13

14 8. Section 2 of P.L. 1963, c.19 (C.43:15A-73.1) is amended to
15 read as follows:

16 2. A member may file a detailed statement of public
17 employment in other states or with the United States Government
18 which would be eligible for credit in a State-administered
19 retirement system if the employment was with a public employer in
20 this State, or of **【military service】** active service in the Armed
21 Forces of the United States or in a reserve component thereof,
22 rendered prior to becoming a member, for which the member
23 desires credit, and of such other facts as the retirement system may
24 require. The member may purchase credit for all or a portion of the
25 service evidenced in the statement up to the nearest number of years
26 and months, but not exceeding 10 years, provided however, that a
27 member purchasing that maximum credit may purchase up to five
28 additional years **【for additional military】** of active service
29 **【qualifying the member as a veteran as defined in section 6 of**
30 **P.L.1954, c.84, (C.43:15A-6)】** in the Armed Forces of the United
31 States or a reserve component thereof.

32 No application shall be accepted for the purchase of credit for
33 **【the】:** (1) a period of service if, at the time of application, the
34 member has a vested right to retirement benefits in another
35 retirement system based in whole or in part upon that service ; or
36 (2) a period of active service in a reserve component of the Armed
37 Forces of the United States that is concurrent with other service
38 described in the preceding paragraph. The member may purchase
39 credit for the service by paying into the annuity savings fund the
40 amount required by applying the factor, supplied by the actuary as
41 being applicable to the member's age at the time of the purchase, to
42 the member's salary at that time, or to the highest annual
43 compensation for service in this State for which contributions were
44 made during any prior fiscal year of membership, whichever is
45 greater. The purchase may be made in regular installments, equal to
46 at least 1/2 of the full normal contribution to the retirement system,
47 over a maximum period of 10 years. The employer of a member

1 who applies, pursuant to this section, to purchase credit for public
2 employment with the United States Government or for military
3 service in the Armed Forces of the United States shall not be liable
4 for any payment to the retirement system on behalf of the member
5 for the purchase of this credit.

6 Notwithstanding any provision of this act to the contrary, a
7 member shall not be liable for any costs associated with the
8 financing of pension adjustment benefits and health care benefits
9 for retirees when purchasing credit for public employment in other
10 states or with the United States Government or **【military】** active
11 service in the Armed Forces of the United States or a reserve
12 component thereof.

13 Any member electing to purchase the service who retires prior to
14 completing payments as agreed with the retirement system will
15 receive pro rata credit for service purchased prior to the date of
16 retirement, but if the member so elects at the time of retirement, the
17 member may make the additional lump sum payment required at
18 that time to provide full credit.

19 (cf: P.L.1991, c.153, s.2)

20
21 9. Section 3 of P.L.1991, c.151 (C.43:16A-11.11) is amended to
22 read as follows:

23 3. A member of the Police and Firemen's Retirement System
24 may file a detailed statement of public employment in other states
25 or with the United States Government which would be eligible for
26 credit in a State-administered retirement system if the employment
27 was with a public employer in this State, or of **【military service】**
28 active service in the Armed Forces of the United States or in a
29 reserve component thereof, rendered prior to becoming a member,
30 for which the member desires credit, and of such other facts as the
31 retirement system may require. The member may purchase credit
32 for all or a portion of the service evidenced in the statement up to
33 the nearest number of years and months, but not exceeding 10
34 years, provided however, that a member purchasing that maximum
35 credit may purchase up to five additional years **【for additional**
36 **military】** of active service **【qualifying the member as a veteran as**
37 **defined in section 1 of P.L.1983, c.391 (C.43:16A-11.7)】** in the
38 Armed Forces of the United States or a reserve component thereof.

39 No application shall be accepted for the purchase of credit for
40 **【the】**: (1) a period of service if, at the time of application, the
41 member has a vested right to retirement benefits in another
42 retirement system based in whole or in part upon that service ; or
43 (2) a period of active service in a reserve component of the Armed
44 Forces of the United States that is concurrent with other service
45 described in the preceding paragraph. The member may purchase
46 credit for the service by paying into the annuity savings fund the
47 amount required by applying the factor, supplied by the actuary as

1 being applicable to the member's age at the time of the purchase, to
2 the member's salary at that time, or to the highest annual
3 compensation for service in this State for which contributions were
4 made during any prior fiscal year of membership, whichever is
5 greater. The purchase may be made in regular installments equal to
6 at least 1/2 of the full normal contribution to the retirement system,
7 over a maximum period of 10 years. The employer of a member
8 who applies, pursuant to this section, to purchase credit for public
9 employment with the United States Government or for military
10 service in the Armed Forces of the United States shall not be liable
11 for any payment to the retirement system on behalf of the member
12 for the purchase of this credit.

13 Notwithstanding any provision of this act to the contrary, a
14 member shall not be liable for any costs associated with the
15 financing of pension adjustment benefits and health care benefits
16 for retirees when purchasing credit for public employment in other
17 states or with the United States Government or **[military]** active
18 service in the Armed Forces of the United States or a reserve
19 component thereof.

20 Any member electing to purchase the service who retires prior to
21 completing payments as agreed with the retirement system will
22 receive pro rata credit for service purchased prior to the date of
23 retirement, but if the member so elects at the time of retirement, the
24 member may make the additional lump sum payment required at
25 that time to provide full credit.

26 (cf: P.L.1991, c.153, s.3)

27

28 10. Section 1 of P.L.1948, c.259 (C.54:4-3.30) is amended to
29 read as follows:

30 1. a. The dwelling house and the lot or curtilage whereon the
31 same is erected, of any **[citizen and]** resident of this State, **[now or**
32 **hereafter]** honorably discharged or released under honorable
33 circumstances **[,]** from **[active service, in time of war, in any**
34 **branch of]** the Armed Forces of the United States or a reserve
35 component thereof, who has been **[or shall be]** declared by the
36 United States **[Veterans Administration]** Department of Veterans'
37 Affairs or its successor to have a service-connected **[disability from**
38 paraplegia, sarcoidosis, osteochondritis resulting in permanent loss
39 of the use of both legs, or permanent paralysis of both legs and
40 lower parts of the body, or from hemiplegia and has permanent
41 paralysis of one leg and one arm or either side of the body, resulting
42 from injury to the spinal cord, skeletal structure, or brain or from
43 disease of the spinal cord not resulting from any form of syphilis; or
44 from total blindness; or from amputation of both arms or both legs,
45 or both hands or both feet, or the combination of a hand and a foot;
46 or from other service-connected disability declared by the United
47 States Veterans Administration or its successor to be a total or]

1 100% total and permanent disability [, and not so evaluated solely
2 because of hospitalization or surgery and recuperation, sustained
3 through enemy action, or accident, or resulting from disease
4 contracted while in such active service,] shall be exempt from
5 taxation, on proper claim made therefor [, and such].

6 An exemption under this act, P.L.1948, c.259 (C.54:4-3.30 et
7 seq.), shall be in addition to any other exemption of such person's
8 real [and personal] property which [now] is [or hereafter shall be]
9 prescribed or allowed by the Constitution or by law but no taxpayer
10 shall be allowed more than one exemption under this act.

11 b. The surviving spouse of any such [citizen and] resident of
12 this State, who at the time of death was entitled to the exemption
13 provided under this act, shall be entitled, on proper claim made
14 therefor, to the same exemption [as the deceased had], during the
15 surviving spouse's widowhood or widowerhood [, as the case may
16 be,] and while a resident of this State, [for the time] provided that
17 the surviving spouse is the legal owner [thereof and actually
18 occupies the said] and occupant of the dwelling house [or any other
19 dwelling house thereafter acquired] for which the exemption is
20 claimed.

21 c. The surviving spouse of any [citizen and] resident of this
22 State, who died in active service in [time of war in any branch of]
23 the Armed Forces of the United States or a reserve component
24 thereof as a result of a service-connected injury or disease, shall be
25 entitled, on proper claim made therefor, to an exemption from
26 taxation on the dwelling house and lot or curtilage whereon the
27 same is erected, during the surviving spouse's widowhood or
28 widowerhood [, as the case may be,] and while a resident of this
29 State, [for the time] provided that the surviving spouse is the legal
30 owner [thereof and actually occupies the said dwelling or any
31 other] and occupant of the dwelling house [thereafter acquired] for
32 which the exemption is claimed.

33 d. The surviving spouse of any citizen and resident of this State
34 who died prior to [January 10, 1972, that being] the effective date
35 of [P.L.1971, c.398] P.L. , c. (C.)(now pending before the
36 Legislature as this bill), and whose circumstances were such that,
37 had said law become effective during the deceased's lifetime, the
38 deceased would have become eligible for the exemption granted
39 under this section as amended by said law, shall be entitled, on
40 proper claim made therefor, to the same exemption [as the deceased
41 would have become eligible for upon the dwelling house and lot or
42 curtilage occupied by the deceased at the time of death,] during the
43 surviving spouse's widowhood or widowerhood [, as the case may
44 be,] and while a resident of this State, [for the time] provided that
45 the surviving spouse is the legal owner [thereof and actually

1 occupies the said] and occupant of the dwelling house [on the
2 premises to be exempted.

3 e. Nothing in this act shall be intended to include paraplegia or
4 hemiplegia resulting from locomotor ataxia or other forms of
5 syphilis of the central nervous system, or from chronic alcoholism,
6 or to include other forms of disease resulting from the veteran's own
7 misconduct which may produce signs and symptoms similar to
8 those resulting from paraplegia, osteochondritis, or hemiplegia] for
9 which the exemption is claimed.

10 (cf: P.L.1985, c.515, s.2)

11

12 11. Section 2 of P.L.1948, c.259 (C.54:4-3.31) is amended to
13 read as follows:

14 2. [All exemptions from taxation under this act shall be allowed
15 by the assessor upon the filing with him of a claim in writing under
16 oath, made by or on behalf of the person claiming the same,
17 showing the right to the exemption, briefly describing] A municipal
18 tax assessor shall allow an exemption under section 1 of P.L.1948,
19 c.259 (C.54:4-3.30) to a claimant when the claimant, or a person
20 acting on behalf of the claimant, files with the assessor a claim in
21 writing under oath that contains: (1) a brief description of the
22 property for which exemption is claimed [and having annexed
23 thereto]; (2) a certificate of the claimant's honorable discharge or
24 release under honorable circumstances[,] from active service [, in
25 time of war,] in [any branch of the armed forces] the Armed
26 Forces of the United States or a reserve component thereof; and (3)
27 a certificate from the United States [Veterans Administration]
28 Department of Veterans' Affairs or its successor, certifying to a
29 service-connected disability of [such] the claimant of the character
30 described in section 1 of [this act] P.L.1948, c.259 (C.54:4-3.30).
31 In the case of a claim by a surviving spouse of such veteran, the
32 claimant shall establish in writing under oath that (1) the claimant is
33 the owner of the legal title to the premises on which exemption is
34 claimed; (2) that the claimant occupies the dwelling house on said
35 premises as the claimant's legal residence in this State; (3) that the
36 veteran [shall have been] was declared by the United States
37 [Veterans Administration] Department of Veterans' Affairs to have
38 a service-connected disability of a character described in [this act]
39 section 1 of P.L.1948, c.259 (C.54:4-3.30), or, in the case of a claim
40 for an exemption under subsection c. of [section 1 of this act
41 (C.54:4-3.30)] that section, that the veteran [shall have been] was
42 declared to have died in active service [in time of war]; (4) that the
43 veteran was entitled to an exemption provided [for in this act]
44 under section 1 of P.L.1948, c.259 (C.54:4-3.30), except for an
45 exemption under subsection c. or d. of section 1 [hereof] of that
46 section, at the time of death; and (5) that the claimant is a resident

1 of this State and has not remarried.

2 **【Such exemptions】** Exemptions provided for under section 1 of
3 P.L.1948, c.259 (C.54:4-3.30 et seq.) shall be allowed and prorated
4 by the assessor for the remainder of any taxable year from the date
5 the claimant shall have acquired title to the real property intended to
6 be exempt by this act. Where a portion of a multiple-family
7 building or structure occupied by the claimant is the subject of such
8 exemption, the assessor shall aggregate the assessment on the lot or
9 curtilage and building or structure and allow an exemption of that
10 percentage of the aggregate assessment as the value of the portion
11 of the building or structure occupied by the claimant bears to the
12 value of the entire building or structure.
13 (cf: P.L.1985, c.515, s.3).

14

15 12. Section 1 of P.L.1963, c.171 (C.54:4-8.10) is amended to
16 read as follows:

17 1. (a) **【"Active service in time of war" means active service at**
18 **some time during one of the following periods:**

19 Operation "Restore Hope" in Somalia, commencing on or after
20 December 5, 1992, or the date of inception of that operation as
21 proclaimed by the President of the United States or the Congress,
22 whichever date is earliest, and terminating on March 31, 1994, or
23 the date of termination as proclaimed by the President of the United
24 States or the Congress, whichever date is latest, who served for at
25 least 14 days, continuously or in the aggregate, in Somalia or on
26 board any ship actively engaged in patrolling the territorial waters
27 of that nation during the specified period; provided that any person
28 receiving an actual service-incurred injury or disability shall be
29 classed as a veteran whether or not that person has completed the
30 14-day service as herein provided;

31 Operations "Joint Endeavor" and "Joint Guard" in the Republic
32 of Bosnia and Herzegovina, commencing on or after November 20,
33 1995 or December 20, 1996, as the case may be, and terminating on
34 December 20, 1996 or on such date as the United States Secretary
35 of Defense may designate, as the case may be, who served in direct
36 support of one or both of the operations for at least 14 days,
37 continuously or in the aggregate, and (1) was deployed in that
38 nation or in another area in the region, or (2) was on board a United
39 States naval vessel operating in the Adriatic Sea, or (3) operated in
40 airspace above the Republic of Bosnia and Herzegovina; provided
41 that any person receiving an actual service-incurred injury or
42 disability shall be classed as a veteran whether or not that person
43 completed the 14-day service requirement;

44 Operation "Desert Shield/Desert Storm" mission in the Arabian
45 peninsula and the Persian Gulf, on or after August 2, 1990 or the
46 date of inception of that operation, as proclaimed by the President
47 of the United States or Congress, whichever date of inception is

1 earliest, who has served in the Arabian peninsula or on board any
2 ship actively engaged in patrolling the Persian Gulf for a period,
3 continuous or in the aggregate, of at least 14 days commencing on
4 or before the date of termination of that mission, as proclaimed by
5 the President of the United States or Congress, whichever date of
6 termination is the latest, in such active service; provided, that any
7 person receiving an actual service-incurred injury or disability shall
8 be classed as a veteran whether or not that person has completed the
9 14 days' service as herein provided;

10 The Panama peacekeeping mission, on or after December 20,
11 1989 or the date of inception of that mission, as proclaimed by the
12 President of the United States or Congress, whichever date of
13 inception is earliest, who has served in Panama or on board any ship
14 actively engaged in patrolling the territorial waters of that nation for
15 a period, continuous or in the aggregate, of at least 14 days
16 commencing on or before January 31, 1990 or the date of
17 termination of that mission, as proclaimed by the President of the
18 United States or Congress, whichever date of termination is the
19 latest, in such active service; provided, that any person receiving an
20 actual service-incurred injury or disability shall be classed as a
21 veteran whether or not that person has completed the 14 days'
22 service as herein provided;

23 The Grenada peacekeeping mission, on or after October 23,
24 1983, who has served in Grenada or on board any ship actively
25 engaged in patrolling the territorial waters of that nation for a
26 period, continuous or in the aggregate, of at least 14 days
27 commencing on or before November 21, 1983 or the date of
28 termination of that mission as proclaimed by the President of the
29 United States or Congress, whichever date of termination is the
30 latest, in such active service; provided, that any person receiving an
31 actual service-incurred injury or disability shall be classed as a
32 veteran whether or not that person has completed the 14 days'
33 service as herein provided;

34 The Lebanon peacekeeping mission, on or after September
35 26, 1982, who has served in Lebanon or on board any ship actively
36 engaged in patrolling the territorial waters of that nation for a
37 period, continuous or in the aggregate, of at least 14 days
38 commencing on or before December 1, 1987 or the date of
39 termination of that mission, as proclaimed by the President of the
40 United States or Congress, whichever date of termination is the
41 latest, in such active service; provided, that any person receiving an
42 actual service-incurred injury or disability shall be classed as a
43 veteran whether or not that person has completed the 14 days'
44 service as herein provided;

45 The Vietnam conflict, December 31, 1960, to May 7, 1975;

46 The Lebanon crisis, on or after July 1, 1958, who has served in
47 Lebanon or on board any ship actively engaged in patrolling the
48 territorial waters of that nation for a period, continuous or in the

1 aggregate, of at least 14 days commencing on or before November
 2 1, 1958 or the date of termination of that conflict, as proclaimed by
 3 the President of the United States or Congress, whichever date of
 4 termination is the latest, in such active service; provided, that any
 5 person receiving an actual service-incurred injury or disability shall
 6 be classed as a veteran whether or not that person has completed the
 7 14 days' service as herein provided;

8 The Korean conflict, June 23, 1950 to January 31, 1955;

9 World War II, September 16, 1940 to December 31, 1946;

10 World War I, April 6, 1917 to November 11, 1918, and in the
 11 case of service with the United States military forces in Russia,
 12 April 6, 1917 to April 1, 1920;

13 Spanish-American War, April 21, 1898 to August 13, 1898;

14 Civil War, April 15, 1861 to May 26, 1865; or, as to any
 15 subsequent war, during the period from the date of declaration of
 16 war to the date on which actual hostilities shall cease] ~~Deleted by~~
 17 amendment, P.L. , c. (C.)(now before the Legislature as
 18 this bill).

19 (b) "Assessor" means the assessor, board of assessors or any
 20 other official or body of a taxing district charged with the duty of
 21 assessing real and personal property for the purpose of general
 22 taxation.

23 (c) "Collector" means the collector or receiver of taxes of a
 24 taxing district.

25 (d) "Honorably discharged or released under honorable
 26 circumstances [from active service in time of war,]" means [and
 27 includes] every form of separation from active [, full-time duty
 28 with military or naval pay and allowances in some branch of the]
 29 service in the Armed Forces of the United States [in time of war]
 30 or from military service in a reserve component thereof, other than
 31 those marked "dishonorable," "undesirable," "bad conduct," "by
 32 sentence of general court martial," "by sentence of summary court
 33 martial" or similar expression indicating that the discharge or
 34 release was not under honorable circumstances. [A] "Honorably
 35 discharged or released under honorable circumstances" shall not
 36 include a disenrollment certificate or other form of release
 37 terminating temporary service in [a military or naval branch of the
 38 armed forces] the Armed Forces of the United States or a reserve
 39 component thereof rendered on a voluntary and part-time basis
 40 without pay, or a release from or deferment of induction into [the]
 41 active [military or naval] service [shall not be deemed to be
 42 included in the aforementioned phrase] of the Armed Forces of the
 43 United States, or military service in a reserve component thereof.

44 (e) "Pre-tax year" means the particular calendar year
 45 immediately preceding the "tax year."

46 (f) "Resident" means one legally domiciled within the State of

1 New Jersey. Mere seasonal or temporary residence within the State,
2 of whatever duration, shall not constitute domicile within the State
3 for the purposes of this act. Absence from this State for a period of
4 12 months shall be prima facie evidence of abandonment of
5 domicile in this State. The burden of establishing legal domicile
6 within the State shall be upon the claimant.

7 (g) "Tax year" means the particular calendar year in which the
8 general property tax is due and payable.

9 (h) "Veteran" means any **[citizen and]** resident of this State who
10 served at least 90 days of active service in the Armed Forces of the
11 United States, excluding any period of service for basic training or
12 as a cadet or midshipman at one of the service academies, or served
13 as a member of a reserve component of the Armed Forces of the
14 United States for an entire period for which called to federal active
15 service, not including active duty for training, and was honorably
16 discharged or released therefrom under honorable circumstances
17 **[from active service in time of war in any branch of the Armed**
18 **Forces of the United States]**. A person who served fewer than 90
19 days of active service or who served less than the entire period to
20 which called to active service shall be classed as a veteran if that
21 person has been honorably discharged or released under honorable
22 circumstances from active service as a result of a service-connected
23 disability incurred as a result of such service.

24 (i) "Veteran's deduction" means the deduction against the taxes
25 payable by any person, allowable pursuant to this act.

26 (j) "Surviving spouse" means the surviving wife or husband of
27 **[any of the following,]** a veteran, or of a resident of this State who
28 died in active service in the Armed Forces of the United States or a
29 reserve component thereof, while **[he or she]** the surviving wife or
30 husband is a resident of this State, during widowhood or
31 widowerhood**[:]**

32 1. A citizen and resident of this State who has died or shall die
33 while on active duty in time of war in any branch of the Armed
34 Forces of the United States; or

35 2. A citizen and resident of this State who has had or shall
36 hereafter have active service in time of war in any branch of the
37 Armed Forces of the United States and who died or shall die while
38 on active duty in a branch of the Armed Forces of the United States;
39 or

40 3. A citizen and resident of this State who has been or may
41 hereafter be honorably discharged or released under honorable
42 circumstances from active service in time of war in any branch of
43 the Armed Forces of the United States**].**

44 (k) "Cooperative" means a housing corporation or association
45 incorporated or organized under the laws of New Jersey which
46 entitles a shareholder thereof to possess and occupy for dwelling
47 purposes a house, apartment or other structure owned or leased by

1 the corporation or association.

2 (l) "Mutual housing corporation" means a corporation not-for-
3 profit incorporated under the laws of New Jersey on a mutual or
4 cooperative basis within the scope of section 607 of the "National
5 Defense Housing Act," Pub.L.76-849 (42 U.S.C.s.1521 et seq.),
6 which acquired a National Defense Housing Project pursuant to that
7 act.
8 (cf: P.L.2001, c.127, s.6)
9

10 13. Section 2 of P.L.1963, c.171 (C.54:4-8.11) is amended to
11 read as follows:

12 2. Every [person a citizen and resident of this State now or
13 hereafter honorably discharged or released under honorable
14 circumstances from active service in time of war in any branch of
15 the Armed Forces of the United States] veteran and [a] surviving
16 spouse [as defined herein, during her widowhood or his
17 widowerhood, and while a resident of this State,] shall be entitled,
18 annually, on proper claim [being made] therefor, to a deduction
19 from the amount of any tax bill for taxes on real [or personal]
20 property [or both] in the sum of \$100 in tax year 2000, \$150 in tax
21 year 2001, \$200 in tax year 2002, and \$250 in each subsequent tax
22 year, or if the amount of any such tax shall be less than \$100 in tax
23 year 2000, \$150 in tax year 2001, \$200 in tax year 2002, and \$250
24 in each subsequent tax year, to a cancellation thereof.
25 (cf: P.L.2000, c.9, s.1)
26

27 14. Section 3 of P.L.1963, c.171 (C.54:4-8.12) is amended to
28 read as follows:

29 3. No veteran's deduction from taxes assessed against real [and
30 personal] property, as provided herein, shall be allowed except
31 upon written application therefor, which application shall be on a
32 form prescribed by the Director of the Division of Taxation, in the
33 Department of the Treasury, and provided for the use of claimants
34 hereunder by the governing body of the municipality constituting
35 the taxing district in which such claim is to be filed and the
36 application has been approved as provided in this act.

37 [An assessor shall not require the filing of an application for a
38 veteran's deduction under this act of any person who has filed, or
39 shall file, a claim for an exemption from taxation under chapter 184
40 of the laws of 1951, on or before December 31, 1963, but shall
41 approve a veteran's deduction for such person, if it appears from
42 such claim for exemption that such person meets all the other
43 prerequisites required by law for the approval of a claim for a
44 veteran's deduction.]

45 Each assessor may at any time inquire into the right of a claimant
46 to the continuance of a veteran's deduction [hereunder] and for that

1 purpose he or she may require the filing of a new application or the
2 submission of such proof as **[he]** shall **[deem]** be deemed
3 necessary to determine the right of the claimant to continuance of
4 such deduction. No application for a veteran's deduction based
5 upon active service in the Armed Forces of the United States or a
6 reserve component thereof shall be allowed unless there is annexed
7 thereto a copy**[, which may be photostatic,]** of the claimant's
8 certificate of honorable discharge or **[of his certificate of]** release
9 under honorable circumstances from **[active service in time of war**
10 **in a branch of]** the Armed Forces of the United States or a reserve
11 component thereof.

12 In the case of an application by a surviving spouse said
13 application shall not be allowed unless it clearly establishes that:

14 (a) Claimant's spouse died while on active **[duty]** service in **[a**
15 **branch of]** the Armed Forces of the United States **[, having had**
16 **active service in time of war, as herein defined, in a branch of the**
17 **Armed Forces of the United States]** or a reserve component thereof,
18 or in the case of a surviving spouse of a veteran, claimant shall
19 establish that the veteran was honorably discharged or released
20 under honorable circumstances from **[active service in time of war**
21 **in any branch of]** the Armed Forces of the United States, or a
22 reserve component thereof; (b) claimant's spouse was a **[citizen**
23 **and]** resident of this State at the time of death**[,];** (c) claimant was
24 the spouse of the veteran at the time of the veteran's death**[,];** and
25 (d) claimant is a resident of this State and has not remarried.
26 (cf: P.L.1997, c.30, s.1)

27

28 15. Section 4 of P.L.1963, c.171 (C.54:4-8.13) is amended to
29 read as follows:

30 4. An application for a veteran's deduction **[hereunder]** may be
31 filed with the assessor of the taxing district at any time on or before
32 December 31 of the pretax year. If so filed and approved by the
33 assessor, he or she shall allow a veteran's deduction from taxes on
34 the real **[or personal]** property **[, or both,]** assessed to the claimant
35 in the amount **[of the claim approved by him and]** prescribed by
36 section 2 of P.L.1963, c.171 (C.54:4-8.11). The assessor shall
37 indicate, upon the assessment list and duplicates, (1) the veteran's
38 deduction application approval [thereof] in such manner as shall be
39 prescribed by rules of the Director of the Division of Taxation **[,**
40 **together with]** ; and (2) the proportionate share of [such] property
41 deemed to be owned by the claimant for the purposes of [this act]
42 establishing a claim to a veteran's deduction, if the claimant is not
43 the sole owner thereof. **[The]** If the application [, if] is not filed
44 with the assessor [within the time aforementioned,] on or before
45 December 31 of the pretax year, it may be filed with the collector

1 during the tax year ~~and upon approval by~~ for review. If the
2 collector ~~of such~~ approves the application he or she shall
3 determine the amount of the reduction in tax to which the claimant
4 is entitled and shall allow said amount as an offset against the tax
5 then remaining unpaid. If the amount allowable as an offset ~~shall~~
6 ~~exceed~~ exceeds the amount of the tax then unpaid for that tax year,
7 or if the application for a veteran's deduction is not filed with the
8 collector until after all taxes for the tax year have been fully paid,
9 the claimant may make application to the governing body of the
10 municipality constituting the taxing district for the refund of any tax
11 overpaid, but without interest, and the governing body may, in its
12 discretion, direct the return of any tax ~~deemed by it~~ it deems to
13 have been overpaid by reason of claimant's failure to make timely
14 application for a veteran's deduction; provided, however, that an
15 assessor, collector or governing body shall not allow an ~~no~~
16 application for a veteran's deduction for any previous tax year
17 ~~shall be allowed by any assessor, collector or governing body~~.

18 Where an application for a veteran's deduction is filed with and
19 allowed by a collector ~~he~~, the collector shall promptly transmit
20 such application and all exhibits attached thereto, or a ~~photostatic~~
21 copy thereof, to the assessor of the taxing district. Upon receipt
22 thereof the assessor shall review the application and if approved by
23 ~~him~~ the assessor it shall have the same force as if originally filed
24 with him or her.

25 (cf: P.L.1985, c.515, s.9)

26

27 16. Section 8 of P.L.1963, c.171 (C.54:4-8.17) is amended to
28 read as follows:

29 8. No person shall be allowed a veteran's deduction from the tax
30 assessed against real ~~and personal~~ property of more than \$100 in
31 the aggregate in tax year 2000, \$150 in the aggregate in tax year
32 2001, \$200 in the aggregate in tax year 2002 and \$250 in the
33 aggregate in any subsequent tax year, but a veteran's deduction may
34 be claimed in any taxing district in which the claimant has taxable
35 property and may be apportioned, at the claimant's option, between
36 two or more taxing districts; provided such claims shall not exceed
37 \$100 in the aggregate in tax year 2000, \$150 in the aggregate in tax
38 year 2001, \$200 in the aggregate in tax year 2002 and \$250 in the
39 aggregate in any subsequent tax year. If a surviving spouse ~~,~~ as
40 herein defined, shall have been honorably discharged or released
41 under honorable circumstances from active service in time of war in
42 any branch of the Armed Forces of the United States, is also a
43 veteran, the surviving spouse shall be entitled to a veteran's
44 deduction for each status.

45 The veteran's deductions herein provided shall be in addition to
46 any exemptions now or hereafter provided by any other statute for

1 disabled veterans or surviving spouses [, as herein defined,] and in
2 addition to any deductions provided under P.L.1963, c.172 (C.54:4-
3 8.40 et seq.) for senior citizens and the permanently and totally
4 disabled, and certain surviving spouses thereof, to which the
5 claimant is entitled. In addition, a claimant may receive any
6 homestead rebate or credit provided by law.

7 (cf: P.L.2000, c.9, s.2)

8
9 17. (New section) Notwithstanding any other law to the
10 contrary, a resident of this State who is in active service in the
11 Armed Forces of the United States or is a member of a reserve
12 component thereof, and has not been discharged or released
13 therefrom, but who otherwise qualifies as a veteran, shall be eligible
14 for a civil service preference on the same basis as a veteran.
15 Instead of the certificate of honorable discharge or release under
16 honorable circumstances required to be provided to the Adjutant
17 General of the Department of Military and Veterans' Affairs
18 pursuant to N.J.S.11A:5-1, the claimant shall provide to the
19 Adjutant General, in a form and content the Adjutant General shall
20 deem appropriate, evidence of his or her status as an active service
21 member of the Armed Forces of the United States or as a member of
22 a reserve component thereof.

23
24 18. (New section) Notwithstanding any other law to the
25 contrary, a resident of this State who is in active service in the
26 Armed Forces of the United States or is a member of a reserve
27 component thereof, and has not been discharged or released
28 therefrom, but who otherwise qualifies as a veteran, shall be eligible
29 for a veterans' deduction on the same basis as a veteran. Instead of
30 the certificate of honorable discharge or release under honorable
31 circumstances required to be provided to the assessor pursuant to
32 section 3 of P.L.1963, c.171 (C.54:4-8.12), the claimant shall
33 provide to the assessor, in a form and content the Adjutant General
34 shall deem appropriate, evidence of his or her status as an active
35 service member of the Armed Forces of the United States or as a
36 member of a reserve component thereof.

37
38 19. N.J.S.11A:5-13, section 3 of P.L.2001, c.128 (C.43:15A-
39 24b) and section 1 of P.L.1983, c.391 (C.43:16A-11.7) are repealed.

40
41 20. Section 2 of P.L.1971, c.398 (C.54:4-3.33a) and sections 12
42 and 13 of P.L.1963, c.171 (C.54:4-8.22 and 8.23) are repealed.

43
44 21. This act shall take effect immediately, but sections 10
45 through 16, section 18 and section 20 shall take effect on the 1st
46 day of the tax year following approval by the voters of an
47 authorizing amendment to Article VIII, Section I, paragraph 3 of
48 the Constitution of the State of New Jersey.

STATEMENT

This bill broadens the eligibility for certain veterans' benefits by eliminating the requirement that a veteran serve during specific wars or other periods of emergency, and, in certain instances, that a veteran serve in a war zone. Instead of service during specific dates or in specific locations, the bill requires a veteran to serve for at least 90 days, exclusive of certain types of initial training, in order to be eligible for any of the primary veterans' benefits. Alternatively, the bill requires a veteran of a reserve component of the United States Armed Forces (including the National Guard) to serve the entire period to which called to federal active service, exclusive of training, in order to be eligible for the primary veterans' benefits. A veteran who is discharged as the result of a service-connected disability will be eligible even if the veteran has not completed the 90 days' service or the period to which called to federal active service.

The benefits that a newly eligible veteran could apply for are (1) a civil service preference under Title 11A of the New Jersey Statutes; (2) a veteran's retirement allowance under the Teachers' Pension and Annuity Fund (TPAF) or the Public Employees' Retirement System (PERS); (3) the purchase of additional military service credit in the Police and Firemen's Retirement System (PFRS), TPAF and PERS.; (4) the annual property tax deduction provided under Article VIII of the New Jersey Constitution (\$150 in tax year 2001, \$200 in tax year 2002 and \$250 in each tax year thereafter) or the property tax exemption provided under N.J.S.A.54:4-3.30 for a veteran who is certified permanently 100% disabled by the United States Department of Veterans' Affairs. In addition, the surviving spouse of a veteran or of a member of the Armed Forces of the United States or a reserve component thereof killed while in active service is eligible in certain instances for a civil service preference or the property tax deduction or exemption.

The bill also provides that an active service member of the United States Armed Forces or a current member of a reserve component thereof (including the National Guard) who has not been discharged from service is eligible for the civil service preference and the property tax deduction provided that he or she otherwise qualifies as a veteran.

Eligibility for the property tax benefits is contingent upon voter approval of an authorizing amendment to State Constitution.